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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,	Case No. 22-mj-620-DJA
Plaintiff,	ORDER **TO CONTINUE PRELIMINARY HEARING AND FILE INDICTMENT** **(First Request)**
v.	
FERNANDO COVARRUBIA-SALAZAR, AKA "RAMIRO LOPEZ-PRADO," AKA "FERNANDO SALAZAR,",	
Defendant.	

IT IS HEREBY STIPULATED AND AGREED, by and between Jason M. Frierson, United States Attorney, and Kimberly M. Frayn, Assistant United States Attorney, counsel for the United States of America, and Rene L. Valladares, Federal Public Defender, and Aden Kebede, Assistant Federal Public Defender, counsel for FERNANDO COVARRUBIA-SALAZAR, that the Preliminary Hearing currently scheduled on November 14, 2022, be vacated and continued to a date and time convenient to the Court, but no sooner than ninety (90) days.

This Stipulation is entered into for the following reasons:

1.   Under Federal Rule of Criminal Procedure 5.1(c), the Court "must hold the preliminary hearing within a reasonable time, but no later than 14 days after the initial appearance if the defendant is in custody . . . ."

2.   However, under Rule 5.1(d), "[w]ith the defendant's consent and upon a showing of good cause—taking into account the public interest in the prompt disposition of criminal cases—a magistrate judge may extend the time limits in Rule 5.1(c) one or more times . . . ."

3.   Furthermore, under the Speedy Trial Act, 18 U.S.C. § 3161(b), "[a]ny information or indictment charging an individual with the commission of an offense shall be filed within thirty days from the date on which such individual was arrested or served with a summons in connection with such charges."

4.   There are legal and factual issues related to discovery that counsel is still examining, necessary before proceeding.

5.   The defendant is in custody and agrees with the need for the continuance.

6.   The parties agree to the continuance.

. . .

. . .

. . .

7.   In addition, the parties stipulate and agree that the time between today and the scheduled preliminary hearing is excludable in computing the time within which the defendant must be indicted, and the trial herein must commence pursuant to the Speedy Trial Act, 18 U.S.C. § 3161(b) and (h)(7)(A), considering the factors under 18 U.S.C. § 3161(h)(7)(B)(i) and (iv).

This is the first request for a continuance of the preliminary hearing.

DATED this 9th day of November, 2022.

RENE L. VALLADARES   JASON M. FRIERSON
Federal Public Defender   United States Attorney

   /s/ Aden Kebede   */s/ Kimberly M. Frayn*
By_____   By_____
ADEN KEBEDE   KIMBERLY M. FRAYN
Assistant Federal Public Defender   Assistant United States Attorney

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

FERNANDO COVARRUBIA-SALAZAR,
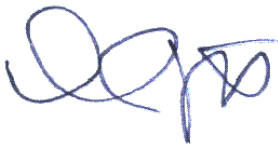AKA "RAMIRO LOPEZ-PRADO," AKA
"FERNANDO SALAZAR,"

Defendant.

Case No. 2:22-MJ-00620-DJA

ORDER

Based on the stipulation of counsel, good cause appearing, and the best interest of justice being served; the time requested by this stipulation being excludable in computing the time within which the defendant must be indicted and the trial herein must commence pursuant to the Speedy Trial Act, 18 U.S.C. § 3161(b) and (h)(7)(A), and Federal Rule of Criminal Procedure 5.1, considering the factors under 18 U.S.C. § 3161(h)(7)(B)(i) and (iv):

IT IS THEREFORE ORDERED that the preliminary hearing currently scheduled for Monday, November 14, 2022 at 4:00 p.m., be vacated and continued to February 13, 2023, at 4:00 p.m., Courtroom 3A.

DATED this 14th day of November, 2022.

_____
DANIEL J. ALBREGTS
United States Magistrate Judge